

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

GLORIA S. JACKSON

PLAINTIFF

VS.

CIVIL ACTION NO.: 2:10CV210-WAP-DAS

FED EX CORPORATION

DEFENDANT

ORDER

This matter is before the court on Plaintiff's Motion (#21) to Reconsider Order (#20) adopting the Report and Recommendation of the United States Magistrate Judge Granting Dismissal of this Case. After considering the motion and the response thereto, the court finds as follows:

Plaintiff's motion is subject to Fed. R. Civ. P. 59(e). Under Rule 59(e), an order may be reconsidered in cases in where: (1) there is a need to correct a manifest error of law or fact; (2) the movant uncovered new evidence that was reasonably unknown prior to entry of the order in question; or (3) an intervening change in controlling law occurred. *Schiller v. Physicians Resource Group, Inc.*, 342 F.3d 563, 567 (5th Cir. 2003).

Plaintiff simply makes the same arguments the Court already considered in denying the original motion. There is no manifest error of law or fact, nor does plaintiff identify/allege any such error. The only "new evidence" presented is a letter from the Federal Bureau of Investigation issued in response to the plaintiff's attempt to gain employment with the census bureau. This "new evidence" has no relation to the plaintiff's allegations against Fed Ex Corporation. Additionally, there has not been any intervening change in controlling law since the Court's order was issued.

Accordingly, because the plaintiff has not identified any manifest error, nor offered any new evidence or change in controlling law the plaintiff's motion shall be DENIED.

SO ORDERED, this the 19th day of April 2011.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE